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JUL 29 2008	
CLERK U S DISTRICT COURT	
DISTRICT OF ARIZONA	
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56 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA
89 United States of America, } CR-04-231-PHX-NVW
10 Plaintiff, }
11 vs. }
12 Cody Rea Kyyitan, } **ORDER**
13 Defendant. }
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16 A detention hearing and a preliminary revocation hearing on the Petition on
17 Supervised Release were held on July 25, 2008.
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19 **THE COURT FINDS** that the Defendant has knowingly, intelligently, and
20 voluntarily waived his right to a detention hearing and a preliminary revocation hearing and
21 has consented to the issue of detention being made based upon the allegations in the Petition.

22 **THE COURT FURTHER FINDS** that the Defendant has failed to sustain his burden
23 of proof by clear and convincing evidence pursuant to Rule 32.1(a)(6), FED.R.CRIM.P., that
24 he is neither a flight risk nor a danger to the community. *United States v. Loya*, 23 F.3d 1529
(9th Cir. 1994).

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1 **IT IS ORDERED** that the Defendant shall be detained pending further order of the
2 court. *[Signature]*

DATED this 29 day of July, 2008.

of July, 2008.

Lawrence O. Anderson
United States Magistrate Judge